

Senator Garwood asked and obtained unanimous consent to take up out of its regular order Senate bill No. 27, entitled "An act to organize and establish the Twenty-first Judicial District, to fix the times of holding courts therein and to repeal all laws and parts of laws in conflict therewith."

[Bill on second reading.] Read with favorable committee report.

Bill was ordered engrossed.

Senator Garwood moved that the constitutional rule requiring bills to be read on three several days, be suspended and that the bill be put upon its third reading and final passage.

Prevailed by the following vote:

YEAS—26.

Clark,	Kimbrough,
Clemens,	Lubbock,
Crane,	McKinney,
Carter,	Mott,
Cranford,	O'Neal,
Finch,	Potter,
Frank,	Page,
Glasscock,	Pope,
Garwood,	Seale,
Harrison,	Searcy,
Ingram,	Stephens,
Johnson,	Sims,
Kearby,	Weisiger.

Bill was read a third time and passed by the following vote:

YEAS—24.

Clark,	Lubbock,
Clemens,	McKinney,
Carter,	Mott,
Cranford,	O'Neal,
Finch,	Potter,
Frank,	Page,
Glasscock,	Pope,
Garwood,	Seale,
Harrison,	Searcy,
Ingram,	Sims,
Kearby,	Townsend,
Kimbrough,	Weisiger.

Senator Kimbrough gave notice that on Monday, after the morning call, he would call up Senate bill No. 16, known as the "mechanics' lien bill."

Senate Bill No. 13. On second reading.

On motion of Senator Garwood consideration of this bill was postponed.

On motion of Senator Pope, Senate bills 19 and 22 (known as the Australian ballot bills) were made the special order of business for tomorrow, after the morning call, and from day to day

until disposed of.

Senator Garwood offered the following:

Resolved, That the report of the special joint committee to investigate the receivership in the cause of Jay Gould vs. The International and Great Northern Railway company, pending in the district court of Smith county, be made a special order for Friday after the morning call. Adopted.

On motion of Senator Glasscock the Senate adjourned until tomorrow morning at 10 o'clock.

TWELFTH DAY.

SENATE CHAMBER,  
TWENTY-SECOND LEGISLATURE,  
Austin, Saturday, March 26, 1892.

Senate met pursuant to adjournment.

President Pro Tem Frank in the chair.

Roll called.

Quorum present.

The following Senators answering to their names:

PRESENT—23.

Burney,	Lubbock,
Clark,	McKinney,
Clemens,	O'Neal,
Carter,	Potter,
Cranford,	Page,
Finch,	Pope,
Frank,	Seale,
Garwood,	Searcy,
Harrison,	Stephens,
Ingram,	Sims,
Kearby,	Weisiger.
Kimbrough,	

ABSENT—7.

Crane,	Simkins,
Glasscock,	Tyler,
Johnson,	Townsend.
Mott,	

Prayer by the chaplain, Dr. Smoot.

Pending reading of the Journal on motion of Senator Sims further reading was dispensed with.

On motion of Senator Garwood Senator Johnson was indefinitely excused on account of important business.

## PETITIONS AND MEMORIALS.

Senator O'Neal presented a petition from the citizens of Cass county, asking that the Fifth Judicial District be allowed to remain as it is now.

Read first time and referred to committee on Judicial Districts.

Senator Cranford presented a petition of the citizens of Camp county against any change in the Fifth Judicial District as it now exists.

Read first time and referred to committee on Judicial Districts.

Senator Clark presented petitions from citizens of Red River county against any change in the Sixth Judicial District.

Read first time and referred to committee on Judicial Districts.

Senator Cranford presented petition of citizens of Camp county, protesting against being placed in a representative district with Upshur county.

Read first time and referred to committee on Apportionment.

Senator Burney presented memorial by the Commercial Exchange of the city of San Antonio, favoring the adoption of the Australian ballot bill.

Read first time and ordered to be considered in connection with Senate bills No. 19 and 22, on this subject.

The following reports were handed in from their respective committees:

COMMITTEE ROOM, }  
Austin, March 26, 1892. }

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 25, being a bill to be entitled, "An act to provide for the registration of all the voters in all cities containing a population of 10,000 inhabitants or more and to provide penalties for the violation of the same."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

Pope, Chairman.

COMMITTEE ROOM, }  
Austin, March 26, 1891. }

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your Judiciary committee No. 1, to whom was referred

Senate bill No. 23, being "A bill to

85

be entitled an act to amend articles 2578 and 2581, of chapter 10, of the revised civil statutes of the State of Texas, and to add thereto article 2589a providing for the hypothecation of lands belonging to an estate in the hands of a guardian, and article 2589b providing for the novation of existing indebtedness of estates in guardianship."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the accompanying amendment:

Amend article 2581 by inserting on page 1 in the fourth line from the bottom after the words "on credit shall be" the words "that the cash payment be not less than one-fifth of the purchase price, and—"

Pope, Chairman.

COMMITTEE ROOM, }  
Austin, March 26, 1892. }

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on State Affairs to whom was referred,

Senate bill No. 29, being a bill to be entitled, "An act to amend articles 3227, 3228, 3229, 3230, 3231, 3232, 3233, 3234, 3235, 3236, 3237, 3238, 3239, 3239 a, 3239 b, 3239 c, title 63 of the revised civil statutes."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

O'Neal, Chairman.

COMMITTEE ROOM, }  
Austin. }

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on State Affairs, to whom was referred

Senate bill No. 28, being "A bill to be entitled an act to amend an act entitled an act to define "Trusts" and to provide for penalties and punishment of corporations, persons, firms and association of persons connected with them, and to promote free competition in the State of Texas. Approved March 30, 1889,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

O'Neal, Chairman.

COMMITTEE ROOM, }  
Austin, March 25, 1892. }

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed

Bills have carefully examined and compared,

Senate bill No. 29, being "An act to organize and establish the Twenty-third Judicial District and to fix the times of holding courts therein, and to repeal all laws and parts of laws in conflict therewith."

And find the same correctly engrossed. Carter, Chairman.

COMMITTEE ROOM, }  
Austin, March 26, 1892. }

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared,

Senate bill No. 3, being "An act to define the Nineteenth Judicial District of the State of Texas, and to fix and define the times for holding court therein."

And find the same correctly engrossed.

Carter, Chairman.

The following conference committee report was presented:

CONFERENCE COMMITTEE ROOM, }  
Austin, March 25, 1892. }

Hon. Geo. C. Pendleton, President of the Senate, and Hon. R. T. Milner, Speaker House of Representatives:

Sirs—We, your Conference committee appointed to consider and adjust the differences between the Senate and House on House Concurrent Resolution No. , beg leave to submit the following report:

Inasmuch as our senators and representatives in Congress have, at all times, voted for the free and unlimited coinage of silver, and that as they have always maintained that a tariff for revenue only is the true Democratic doctrine, therefore we deem it unnecessary to further consider the points of difference between the House and Senate, they being more matters of form than of substance.

(Signed) W. W. SEARCY,  
M. M. CRANE,  
JOHN H. STEPHENS,  
HENRY A. FINCH,  
On Part of Senate.  
JOHN H. COCHRAN,  
F. O. MARTIN,  
W. P. HAMBLIN,  
A. T. MCKINNEY,  
C. U. CONNELLEY,  
On Part of House.

The report was adopted.

## BILLS AND RESOLUTIONS.

Senator Burney (by request):

A bill to be entitled, "An act to amend title LXX of the revised statutes by adding article 3495 (a) providing the rate of interest to be charged by pawn brokers.

Read first time and referred to Judiciary committee No. 1.

By Senator Kearby:

A bill to be entitled, "An act to amend articles 3227, 3228, 3229, 3230, 3231, 3232, 3233, 3234, 3235, 3236, 3237, 3238, 3239, 3239 a, 3239 b, 3239 c, title 63 of the revised civil statutes,

Read first time and referred to committee on State Affairs,

By Senator Stephens:

A bill to be entitled, "An act to reorganize the Thirty-ninth, Forty-sixth, Forty-seventh and Fiftieth Judicial Districts and to create the Fifty-third Judicial District of the State of Texas and to fix the times of holding courts therein, to provide for the appointment and election of a District Judge and a District Attorney in the Fifty-third Judicial District and to repeal all laws in conflict herewith.

Read first time and referred to committee on Judicial Districts.

The following message was received from the House:

House of Representatives, }  
Twenty-Second Legislature, }  
Austin, March 26, 1892. }

Hon. Geo. C. Pendleton, President of the Senate:

Sir—I am directed by the House to inform you of the passage of the following resolution:

Concurrent resolution to pay Will P. Williams and W. J. Farwell as stenographers of the I. & G. N. R. R. investigation committee. Respectfully,  
Geo. W. Finger,  
Chief Clerk House of Representatives.

The morning call having ended, the Chair placed before the Senate, Senate bills No. 19 and 22, they being the order of the day—for today and from day to day until disposed of.

Senator Clemens moved that Senate bill No. 19 be laid on the table subject to call, and that the Senate consider Senate bill No. 22 on the same subject. Adopted.

Senate bill No. 22, entitled, "An act in reference to holding elections and repeal sections 1673, 1674, 1675, 1681, 1682, 1683, 1689, 1690, 1692, 1693, 1694,

1695, 1696, 1697, 1698, 1699, 1700, 1701, and 1702, of the revised civil statutes of the State of Texas, and chapter 112, of the acts of the Legislature, approved April 19, 1879, also chapter 51, acts of the Eighteenth Legislature; also chapter 31 of the laws of 1887."

Approved March 14, 1887.

(On second reading).

On motion of Senator Pope, the printed bill was considered in place of the original, which had been mutilated by the printer.

(A message was received from his Excellency, the Governor).

Senator Pope moved that the bill be considered by sections.

Adopted.

Senator Pope offered the following amendment:

Amend by inserting enacting clause as follows: "Be it enacted by the Legislature of the State of Texas. That"

Adopted.

Section 1. (Printed bill) Read and passed.

Section 2. Read and passed.

Section 3. Read and passed.

Section 4. Read and passed.

Senator Stephens offered the following:

Amend section 2, line 3, by striking out the word "two" and inserting in lieu thereof the word "three."

Adopted.

Senator Crane presented the following privilege report:

COMMITTEE ROOM. }  
Austin, March 26, 1892. }

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your Committee on Enrolled Bill have carefully examined and compared

Senate Concurrent Resolution No. 1, relating to the death of General Walter P. Lane of Marshall, Texas,

And find the same correctly enrolled, and have this day at 11:30 o'clock a. m., presented the same to the Governor for his signature.

Crane, Chairman.

Section 5 of pending bill read and passed.

Section 6 read.

Senator Pope offered the following:

Amend by striking out the word "nearest," line 5, section 6, and insert "in proximity."

Adopted.

Senator Stephens offered the following:

Amend section 6 by striking out all of said section after the word "who," in line 5 of said section, and insert in lieu thereof the following: "is selected by the qualified voters present at the polls to hold the election as the presiding officer thereof."

Withdrawn.

Section 6 read and passed.

Section 7 read.

Senator Lubbock offered the following:

Amend section 7 by striking out all from line 10 to line 14, where the word "he" commences with capital "T."

Adopted.

Section 8 read.

Senator Stephens moved to strike out the word "organized" and insert the word "unorganized" in lieu thereof.

Adopted.

Senator Garwood, debating on the question of hastily acting on a bill of so much importance as the one before the Senate, offered the suggestion that consideration be postponed and that the bill be printed in the records.

Senator Burney asked if this question was embraced in the proclamation of the Governor.

Senator Pope replied that the Governor had stated that he considered it as within the call and in order that the measure should be in the hands of Senators he would move that it be printed in the Journals, but not to lose its place on the calendar.

Senator Burney moved to consider the bill today, but that no vote be taken.

Adopted.

Section 9 read.

Senator Stephens offered the following:

Amend by striking out of section 8, the words, "to which said county is attached for judicial purposes," in lines 3 and 4.

Adopted.

Senator Sims offered the following:

Amend by adding after the word "court" at end of section 9, as follows: "and entered of record in the minutes of the court."

Adopted.

Section 10 read and passed.

Section 11 read.

Senator Sims offered the following amendment:

Amend section 11 by adding after the word "God," line 7, the words "I do."

Withdrawn.

The Chair gave notice of signing and signed in open Senate, after its

caption had been read, the memorial adopted by the Senate in regard to the death of General Walter P. Lane.

Senator Kirby offered the following amendment to the pending bill:

Amend section 11 by adding after the word "officer," in line 8, the words "or either of the judges of the election."

Adopted.

Section 12. Read.

Senator Potter offered the following:

Amend section 12, line two, by inserting after the word "any" the word "legitimate."

Adopted.

Section 13. Read and passed.

Section 14. Read.

Senator Lubbock offered the following:

Amend section 14, sub division 3, line 10, by adding after the word "man" the word "usually."

Adopted.

Senator Potter offered the following:

Amend section 14 by striking out sub division 1 and numbering the other sub divisions accordingly.

Adopted.

Section 15 read.

Senator Pope offered the following:

Amend section 15 by striking out "50" and insert "30," in lines 2 and 8.

Adopted.

Senator Searcy offered the following:

Amend section 15 by adding, "that the voter shall make and deliver his ballot without delay, and shall quit the said enclosed space as soon as he has voted—no voter shall remain in the compartment, or reserved space more than five minutes after receiving his ballot."

Adopted.

Senator Cranford offered the following:

Amend section 15 by striking out the words, "in all incorporated cities and towns in this State."

Adopted.

Section 16 read.

Senator Carter offered the following:

Amend section 16 by adding after sub-division 1, the following: "2nd, all aliens," and number the other sub-divisions accordingly. Adopted.

Section 17 read.

Senator Stephens offered the following:

Amend by striking out in lines 2 and

8, section 17, the word "qualification," and insert in lieu thereof, the word "disqualification." Adopted.

Senator Carter offered the following:

Amend section 17 after the word "laws" line 12, "six months prior to day of the election." Adopted.

Senator Stephens offered the following:

Amend section 17 by striking out all after the word "voter" in line 7.

Withdrawn.

Senator Kearby offered the following:

Amend section 17 by adding to the end thereof the following:

"No person who shall have filed his declaration of intention to become a citizen, as herein provided, and shall fail to become a citizen within twelve months after the date when he filed such declaration, then such person shall not thereafter be permitted to vote until he has become a citizen of the United States."

Senator Carter offered the following substitute:

Add to section 17: "No alien who has resided in the United States a sufficient length of time after making his declaration of intention to become a citizen of the United States to obtain his final papers shall be allowed to vote until he has procured such final papers." Adopted.

Senator Clemens asked and obtained consent to send up the following report:

Your committee on contingent expenses, to whom was referred the accompanying resolution relating to the clerks of the Senate now in its employ, beg leave to report the following substitute and recommend its adoption.

Clemens, Chairman,

Resolved, That the chairman of the committees on Apportionment, Finance and Contingent Expenses, Judiciary No. 1, Judicial Districts, Cities and towns, which latter clerk shall also serve as assistant engrossing clerk, be each authorized to select a clerk from those now in the employ of the Senate and that the President of the Senate be authorized and instructed to dispense with the remaining clerks.

The report was adopted by the following vote:

YEAS—13.

Burney,  
Clemens,  
Crane,

Kimbrough,  
McKinney,  
Potter,

Finch,  
Frank,  
Ingram,  
Kearby,

Simkins,  
Stephens,  
Sims.

## NAYS—11.

Clark,  
Carter,  
Cranford,  
Garwood,  
Harrison,  
Lubbock,  
O'Neal,  
Page,  
Pope,  
Searcy,  
Weisiger.

Senator Carter moved that Senate bill no 18, be made special order for Tuesday next and from day to day until disposed of. Adopted.

On motion of Senator Lubbock the Senate adjourned to 10 o'clock Monday morning.

## THIRTEENTH DAY.

SENATE CHAMBER,  
TWENTY-SECOND LEGISLATURE,  
Austin, Monday, March 28, 1892.

Senate met pursuant to adjournment.

Lieutenant-Governor Pendleton in the chair.

Roll called.

Quorum present.

The following Senators answering to their names:

## PRESENT—28.

Burney,	Lubbock,
Clark,	McKinney,
Clemens,	Mott,
Carter,	O'Neal,
Cranford,	Potter,
Finch,	Page,
Frank,	Pope,
Glasscock,	Seale,
Garwood,	Searcy,
Harrison,	Simkins,
Ingram,	Stephens,
Johnson,	Sims,
Kearby,	Townsend,
Kimbrough,	Weisiger.

Prayer by the chaplain, Dr. Smoot.

Pending the reading of the Journal on motion of Senator Stephens, the further reading of the same was dispensed with.

On motion of Senator Cranford, the secretary, Mr. Kennedy, was excused for non-attendance upon the Senate on Saturday last on account of important business.

For a similar reason, Senator Tyler

was excused for non-attendance on Friday and Saturday last and today, upon motion of Senator Glasscock.

## PETITIONS AND MEMORIALS.

By Senator Carter:

A memorial of the Cleburne bar praying that Fort Worth be selected as one the places for the location of one of the courts of civil appeals.

Read first time and referred to the committee on Judicial Districts.

## UNFINISHED BUSINESS.

Senate bill No. 22, entitled "An act in reference to holding elections and repeal sections 1673, 1674, 1675, 1681, 1682, 1683, 1689, 1690, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700; 1701, and 1702; of the revised civil statutes of the State of Texas, and chapter 112, of the acts of the Legislature, approved April 19, 1879, also chapter 51, acts of the Eighteenth Legislature; also chapter 31 of the laws of 1887."

Approved March 14, 1887.

(On second reading.)

Senator Stephens moved that the pending bill be indefinitely postponed.

The motion was lost by the following vote:

## YEAS—9.

Finch,	Kimbrough,
Glasscock,	Searcy,
Garwood,	Stephens,
Harrison,	Weisiger.
Ingram,	

## NAYS—18.

Burney,	McKinney,
Clark,	Mott,
Clemens,	O'Neal,
Carter,	Potter,
Cranford,	Page,
Frank,	Pope,
Johnson,	Seale,
Kearby,	Sims,
Lubbock,	Townsend.

The following message was received from the House:

House of Representatives, }  
Twenty-Second Legislature, }  
Austin, March 28, 1892.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—I am directed by the House